

**FILED**

AUG 18 2011

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**STATE BAR COURT OF CALIFORNIA  
HEARING DEPARTMENT – SAN FRANCISCO**

In the Matter of	)	Case No.: <b>08-H-10305-PEM (S172492)</b>
	)	
<b>ROBERT EUGENE OSMUNDSON</b>	)	<b>ORDER REGARDING RESPONDENT'S</b>
	)	<b>MOTIONS FOR EXTENSION OF TIME</b>
<b>Member No. 202432</b>	)	<b>AND TO TERMINATE ACTUAL</b>
	)	<b>SUSPENSION</b>
<u>A Member of the State Bar.</u>	)	

On July 21, 2011, respondent Robert Eugene Osmundson, by counsel Daniel V. Kohls and Gina M. Bowden, filed a motion to terminate actual suspension and a motion to extend the time to address the motion to terminate. On August 3, 2011, the Office of the Chief Trial Counsel (State Bar), by Treva R. Stewart, filed a response to the motions.

By order effective July 23, 2009, the California Supreme Court, among other things, imposed a one-year stayed suspension and actual suspension from the practice of law for 90 days and until respondent complied with rule 205, Rules Proc. of State Bar (rule). It also ordered that, if respondent remained actually suspended for two years or more (that is, until July 23, 2011), he would remain so until he complied with standard 1.4(c)(ii), Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct (standard or std.) Since the motion to terminate was filed prior to July 23, 2011, the court deems the motion to extend time to be **MOOT**.

Where a respondent has complied with the requirements of rule 205(c) and has agreed to comply with probation conditions to be imposed, there is a presumption in favor of granting the



motion. (Rule 205(f).) Respondent has met his burden. Moreover, the State Bar does not oppose the motion to terminate actual suspension.

Accordingly, the motion is **GRANTED** and the actual suspension imposed by the Supreme Court in its order filed June 23, 2009, in case no. S172492 will terminate subject to the probation conditions set forth below. Respondent will be entitled to resume the practice of law in this State immediately upon payment of all applicable State Bar fees and previously-assessed costs.

As a condition for terminating respondent's actual suspension, the court orders that respondent be placed on probation for one year with the following conditions:

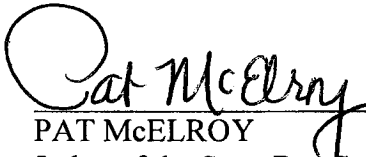
1. During the probation period, respondent must comply with the State Bar Act and the Rules of Professional Conduct;
2. Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10 and October 10 of the period of probation. Under penalty of perjury, respondent must state whether respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. If the first report will cover less than 30 days, that report must be submitted on the next following quarter date, and cover the extended period.  
In addition to all quarterly reports, a final report, containing the same information, is due no earlier than 20 days before the last day of the probation period and no later than the last day of the probation period;
3. Subject to the assertion of applicable privileges, respondent must answer fully, promptly, and truthfully, any inquiries of the Office of Probation which are directed to respondent personally or in writing, relating to whether respondent is complying or has complied with the conditions contained herein;
4. Within 10 days of any change, respondent must report to the Membership Records Office of the State Bar, 180 Howard Street, San Francisco, California, 94105-1639; and to the Office of Probation, all changes of information, including current office address and telephone number, or if no office is maintained, the address to be used for State Bar purposes, as prescribed by Business and Professions Code section 6002.1;
5. Within one year of the effective date of this order, respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, given periodically by the State Bar at either 180 Howard Street, San Francisco, California, 94105-1639, or 1149 South Hill Street, Los Angeles,

California, 90015-2299, and passage of the test given at the end of that session. Arrangements to attend Ethics School must be made in advance by calling (213) 765-1287, and paying the required fee. This requirement is separate from any Minimum Continuing Legal Education Requirement (MCLE), and respondent will not receive MCLE credit for attending Ethics School. (Rules Proc. of State Bar, rule 3201);

6. The period of probation must commence on the effective date of this order; and
7. At the expiration of the period of this probation, if respondent has complied with all the terms of probation, the order of the Supreme Court suspending respondent from the practice of law for one year that is stayed, will be satisfied and that suspension will be terminated.

**IT IS SO ORDERED.**

Dated: August 18, 2011

  
PAT McELROY  
Judge of the State Bar Court

## CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, on August 18, 2011, I deposited a true copy of the following document(s):

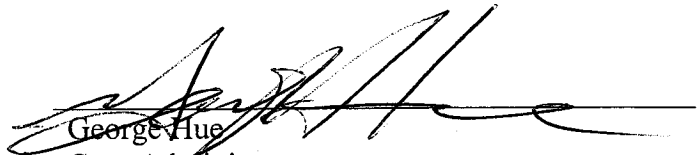
ORDER REGARDING RESPONDENT'S MOTION FOR EXTENSION OF TIME  
AND TO TERMINATE ACTUAL SUSPENSION

in a sealed envelope for collection and mailing on that date as follows:

- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:
- DANIEL V. KOHLS  
GINA M. BOWDEN  
HANSEN, KOHLS, JONES, SOMMER & JACOB, LLP  
1520 EUREKA ROAD, SUITE 100  
ROSEVILLE, CA 95661
- ☐ by certified mail, No.      , with return receipt requested, through the United States Postal Service at      , California, addressed as follows:
- ☐ by overnight mail at      , California, addressed as follows:
- ☐ By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:
- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

Treva Stewart, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on August 18, 2011.

  
George Hue  
Case Administrator  
State Bar Court